

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

REID WILLIAM ROGERS,

No. C 13-3794 SI (pr)

Petitioner,

**ORDER DENYING PERMISSION TO  
FILE LATE OPPOSITION OR LATE  
APPEAL**

v.


F. FOULK, warden,

Respondent.

This action was dismissed and judgment entered on March 6, 2014 because the petition for writ of habeas corpus was not filed before the expiration of the habeas statute of limitations period. More than four months later, petitioner sent to the court a letter requesting permission to oppose respondent's motion to dismiss or to file an appeal, one or both of which he allegedly was unable to do because of various problems in prison. His request is DENIED. Docket # 16. With regard to the motion to dismiss, petitioner *did* file a traverse in which he argued that his petition should not be rejected as untimely, and the court rejected his argument. *See* Docket # 14 at 2-4. With regard to an appeal, it is too late for petitioner to file an appeal or for the court to grant an extension of the deadline by which to file a notice of appeal. *See* Fed. R. App. P. 4(a)(5-6).

IT IS SO ORDERED.

DATED: August 18, 2014

  
SUSAN ILLSTON  
United States District Judge